

Political Advertising

Disclosure Statement

OF

**WHP-TV / WLYH-TV / WHP-DT-2**

CBS Affiliate / CW Affiliate / My Network Affiliate

For

Harrisburg-Lancaster-Lebanon-York, PA

The following sets forth the policies and practices of the stations listed above regarding the sale of time to candidates for public office. The stations reserve the right to revise these policies, all of which are subject to the stations' legal obligations.

## Section 1

# **INTRODUCTION**

We wish to thank you for your interest in purchasing political advertising on WHP-TV, WLYH-TV and WHP-DT2 (collectively, the “Station”). It is our desire to furnish you with complete information concerning our various advertising rates, policies, plans, packages and assist you in making an informed decision concerning the purchase of advertising on our station. This Disclosure Statement has been prepared and is being provided to you for that purpose.

The policies of the Station with regard to political advertising apply only to authorized uses by legally qualified candidates for public office or their authorized campaign committees; they are not applicable to purchases by candidates or others for non-“uses,” to purchases by political action committees or political parties that are not authorized by the candidate, to third-party endorsements, or to non-candidate “issue” advertising or advertising directed at ballot propositions.

Should you have any questions concerning the Disclosure Statement, please let us know. We realize that the purchase of broadcast advertising time may be complex. We will be pleased to respond to your questions and to clarify, upon request, the various rate plans and policies described herein. We encourage you to inquire. All inquiries should be directed to:

Scott Beaver, Director of Sales  
Stu Brenner, National Sales Manager  
Marian Stanislawczyk, Local Sales Manager  
Megan Shaffer, Local Sales Manager

Holly Steuart, Vice President & General Manager  
717-238-2100

WHP-TV/WLYH-TV/WHP-DT2  
3300 N. Sixth Street  
Harrisburg, PA 17110  
Phone: 717-238-2100  
Fax: 717-236-0198

## Section 2

# **RATES**

During the forty-five (45) day period prior to a primary election and the sixty (60) day period prior to a general or special election (each of which is referred to as the “lowest unit charge period”), the Station will sell advertising time to candidates for public office or their authorized campaign committees at the “lowest unit charge” at which the Station sells a cleared spot of the same class and length of time in the same time period. To be eligible for this “lowest unit charge” privilege, the spot must include a “use” by a “legally qualified candidate” for public office, as those terms are defined by the FCC.

Federal election law provides that a federal candidate is only eligible for lowest unit charge privileges if the candidate provides written certification to the Station that the candidate and the candidate’s authorized committee will “not make any direct reference to another candidate for the same office” in a spot unless that spot complies with expanded sponsorship identification requirements. This

requirement applies to any “reference” to another candidate — not necessarily an attack or a negative reference. In addition to supplying certification — which must be made with every purchase of political advertising that would be entitled to lowest unit charge — the federal candidate must actually comply with the certification. If a candidate’s sponsored spot airs on the Station and refers to an opposing candidate without including the enhanced sponsorship identification, that candidate is not entitled to the Station’s lowest unit rate for that spot or for any spot run from that day through the remainder of the time leading up to the election for that office.

To satisfy the enhanced sponsorship identification requirements, the end of the spot must contain both a clearly identifiable photographic or similar image of the candidate and a clearly readable printed statement that identifies the candidate and states that the candidate has approved the spot and that the candidate’s authorized committee paid for the spot.

The attached rate card reflects the rates at which the Station is presently selling advertising time to political candidates (i.e., its estimate of lowest unit charge). Candidates are encouraged to contact the Station for availability before placing orders. Advertisers should be aware that because our rates are negotiated with each advertiser based on overall demand, these rates are subject to change. We set our rates on a weekly basis. We encourage you to inquire of us each week so that the most current estimates may be furnished to you.

The Station customarily provides a fifteen percent (15%) discount for advertising purchased by an advertising agency. Political candidates and authorized campaign committees who purchase time for a “use” during the “lowest unit charge” periods without an advertising agency will be extended a fifteen percent (15%) discount.

Because the lowest unit charge for a particular order depends on the spots that the Station actually clears, the Station cannot determine the exact lowest unit charge until after the relevant advertisements are broadcast. Where appropriate, the Station will issue a credit or rebate, at the advertiser’s election, to account for the difference between the lowest unit charge and the rate charged for any advertisement that qualifies for lowest unit charge privileges.

Outside of lowest unit charge periods, the Station will charge legally qualified candidates a rate for advertising that is comparable to the rates charged to other advertisers by the Station for the same class of advertising. Please contact the Station for more information on these rates.

### **Section 3**

## **ACCESS TO STATION FACILITIES**

The Station will afford reasonable access to legally qualified candidates for federal public office during the applicable lowest unit charge period and earlier, if a particular campaign is in “full swing” prior to the beginning of this period. Subject to availability, legally qualified federal candidates may purchase advertising in all available time periods from all classes of time. The Station will determine which state and local races to cover on a race-by-race basis and reserves the right to determine the amount and placement of time available to state and local candidates, subject to equal opportunity requirements.

## Section 4

# HOW OUR ADVERTISING IS SOLD

Subject to availability, the Station sells time to advertisers in a variety of time periods (including specific programs and rotations). The time periods that the Station most commonly sells are listed on the attached rate card. However, other time periods may be available; please contact the Station for more information.

The Station sells spot advertising time to advertisers in 10, 15, 30 and 60 second units (except that inventory constraints may prevent the Station from selling 60 second units). Requests by federal political candidates to purchase longer form program time will be evaluated on a case by case basis. Candidates who are interested in purchasing longer form program time should contact the Station for more information.

The Station offers the following classes of time to all advertisers:

- P1: Fixed
- P2: Pre-emptible with 48 Hours Notice
- P3: Pre-emptible with 24 Hours Notice
- P4: Immediately Pre-emptible

- P1: Fixed: Spots in this class will air as available within or adjacent to the program, time period, daypart, or day specified by the advertiser, subject only to technical failure, human error, late-run programming, breaking news events and similar occurrences. Spots purchased in this class are entitled to makegoods in accordance with the policy described below and will have priority for makegoods over spots purchased in the P2 or lower class. Because the Station has a limited number of avails, even Fixed spots may be sold out during a particular program, time period, daypart, or day. In that event, the Station will endeavor to locate a comparable area for placement of a candidate's time.
- P2: Pre-emptible with 48 Hours Notice: Spots in this class will air as available within or adjacent to the program, time period, daypart, or day specified by the advertiser (subject to technical failure, human error, late-run programming, breaking news events and similar occurrences) but may be pre-empted with 48 hours notice in favor of ads purchased at the P1 level. Spots purchased in this class are entitled to makegoods in accordance with the policy described below and will have priority for makegoods over spots purchased in the P3 or lower class.
- P3: Pre-emptible with 24 Hours Notice: Spots in this class will air as available within or adjacent to the program, time period, daypart, or day specified by the advertiser (subject to technical failure, human error, late-run programming, breaking news events and similar occurrences) but may be pre-empted with 24 hours notice in favor of ads purchased at the P1 or P2 level. Spots purchased in this class are entitled to makegoods in accordance with the policy described below and will have priority for makegoods over spots purchased in the P4 class.
- P4: Immediately Pre-emptible. Spots in this class will air if time is not sold out at a higher level (subject to technical failure, human error, late-run programming, breaking news events and similar occurrences). Spots in this class are subject to preemption in favor of ads purchased at the P1, P2 or P3 level without notice. Spots purchased in this class are

not entitled to makegood privileges. If spots are not placed, advertiser will receive a credit against future purchases or a cash rebate, at its option.

Spots purchased in any class of time are subject to preemption for special unforeseen circumstances, such as program overruns, live events, equipment failure, weather or emergency situations, breaking news, or similar events, or to satisfy legal obligations. The Station will endeavor to provide make-goods, as provided below, to advertisers whose spots are preempted for these reasons and who have purchased time in a class that entitles the advertiser to make-good protection.

The Station will provide upon request a good faith estimate of the probability that a spot purchased in a specified time period and class will be preempted. The Station can provide only an estimate of preemption probability, not a guarantee, and subsequent purchases of time can affect the probability that a spot actually purchased would be preempted.

## **Section 5** **ORDERS**

Orders for political time will not be considered firm for broadcast clearance until the following have been provided to the Station:

1. Completed and signed order. The Station prefers NAB Form PB-16 or PB-17; copies are available from the Station. Orders must specify: (a) the name of the candidate and office to which the order applies; (b) the class of time and time period that is being requested; and (c) the identity of the purchaser of the time, including the name of the candidate's authorized committee and the name of the committee's treasurer.
2. Advance payment for the order, subject to the policy described in Section 6, below.
3. Where the purchase is made by a corporation, committee, association or other non-incorporated group, a list of the entity's chief executive officers or members of the executive committee or board of directors.
4. When requested by the Station, satisfactory proof that the candidate is "legally qualified," as that term is defined by the FCC.
5. When requested by the Station, satisfactory proof that the purchaser is authorized to buy time for the candidate.
6. Advertisement copy, along with written instructions for its use, must be submitted to the Station in advance of the applicable log deadline, as described below. All instructions for airing of facilities must be received in writing by the Station (by letter, fax 717-236-0198, or e-mail) prior to the changes being made.

The Station will accept advertising submitted in DVD Pro, DVD, or beta videotape format. In addition, the Station will make reasonable efforts to accommodate requests to submit advertising via the Internet or via satellite. Please contact the Station's Director of Sales before placing your order to discuss requests for non-standard submission of advertising material.



7. Federal candidates must submit the required sponsorship identification certification as described in the section on “Rates” above in order to qualify for lowest unit rate privileges.

Advance orders for schedules of political advertising will be subject to reconfirmation on the later of the date payment is received or thirty (30) days before the start of the schedule, and are not considered final until that time. The Station reserves the right to recapture spot time, even after spots are reconfirmed, in order to meet equal opportunity or reasonable access FCC requirements, or to comply with other legal obligations. If spot time is recaptured, the candidate will be advised as soon as practicable and an appropriate refund or credit, at the candidate’s option, will be issued.

The Station reserves the right to reject advertisements that do not conform to the length specifications associated with the order or that do not satisfy the Station’s technical standards. Failure by a political advertiser to fulfill all requirements in advance of the applicable deadline may result in preemption and/or cancellation of some or all announcements previously accepted.

## **Section 6**

### **PAYMENT AND CREDIT POLICY**

The Station requires political advertisers to pay for advertising and production charges in full, by check or cash, prior to the log deadline applicable to the first spot in any schedule with a duration of less than one week. For schedules lasting longer than one week, advertisers must submit payment for the first week of advertisements prior the log deadline applicable to the first spot in the schedule and must submit payment for each subsequent week no less than seven days prior to airing the schedule for each subsequent week.

The Station will evaluate requests from candidates for credit on the same basis as it uses to evaluate such requests from similarly situated commercial advertisers. Please contact the station for information.

## **Section 7**

### **MAKEGOOD POLICY**

In the event that an announcement ordered in the P1, P2, or P3 classes is pre-empted, the Station will offer to provide a makegood announcement that is comparable in value to the announcement that was ordered. In these circumstances, the advertiser may elect not to accept the offered makegood and, instead, to request a refund or credit against future orders with the Station. Although the Station’s policy is to offer all candidates makegoods before the election, it cannot guarantee to any advertiser that the makegoods will be provided in the specific program, time period, or rotation originally ordered. Inventory during the week prior to an election is particularly limited by equal opportunity and other demands, and the Station’s ability to schedule makegoods may be limited during this period.

## **Section 8**

### **AUDIENCE DELIVERY**

The Station sometimes sells time on the basis of ratings and demographic delivery targets specified and agreed on by the advertiser and the station at the time a contract is entered into. Although the station does not guarantee that time sold will deliver the specified ratings and demographic targets, it will cooperate with advertisers upon request in conducting post-broadcast analyses of their schedules and will, in cases of substantial underdelivery, work with the advertisers to make up a portion of the underdelivery.

Post-broadcast analyses are conducted on the basis of the “sweeps” ratings books published by the Station’s ratings service. THE STATION DOES NOT CONDUCT POST-BROADCAST ANALYSES OR PROVIDE UNDERDELIVERY MAKE-GOODS ON THE BASIS OF OVERNIGHT RATINGS. If the post-broadcast analysis discloses that an advertiser’s schedule has failed to deliver the agreed-upon targets, the Station will provide the advertiser with “added weight,” in the form of upgrades to contracted-for spots or in no-charge underdelivery make-goods, to make up a portion of the underdelivery.

Because no “sweeps” books will be published during the pre-election period, the Station cannot provide political advertisers with underdelivery make-goods in accordance with its standard practice. However, the Station will make available to political advertisers the benefits of any underdelivery make-goods provided to commercial advertisers buying time in the same class and time period as political advertisers. If you would prefer to negotiate to purchase time against specified ratings and demographic targets, please contact the Station.

## **Section 9**

### **NON-CASH MERCHANDISING AND PROMOTIONAL ADVERTISER INCENTIVES**

The Station sometimes offers non-cash merchandising and promotional incentives to its advertisers. If such incentives are available, they will ordinarily be offered to political candidates on the same basis as they are offered to commercial advertisers. However, these incentives are not available to political advertisers if: (1) the value of the incentive is negligible, or (2) making the incentive available to a candidate could reasonably imply a relationship between the Station and the candidate.

## **Section 10**

### **PRODUCTION CHARGES**

The Station provides certain production services to advertisers. The Station will bill candidate’s fees for these services, which are comparable to the fees it charges to commercial advertisers, separately from airtime charges. The Station does not allow its on-the-air talent to appear (on-camera or voice over) in any political advertising.

## **Section 11**

### **SPONSORSHIP IDENTIFICATION**

All political advertisements must fulfill sponsorship identification requirements established by the FCC. All television ads must contain a visual identification in letters equal to or greater than four percent

of the vertical picture height appearing for a period of not less than 4 seconds. This identification must state the words "PAID FOR BY," followed by the full legal name of the entity that paid for the advertising.

If a candidate's ad does not contain the proper identification, the Station will add the required material and will bill the sponsor for the required production at the Station's customary rate. However, the Station will NOT add time to the length of a spot to accommodate sponsorship identification.

In addition, the FEC requires that federal candidates include in the spot a statement that:

1. identifies the candidate on whose behalf the time was purchased; and
2. states that the candidate approved the spot.

This requirement may be met with either an unobscured, full-screen view of the candidate stating this information or a voice-over by the candidate accompanied by a clearly identifiable visual image of the candidate, which must occupy at least 80 percent of the vertical screen height. In addition, a written statement including the same information must appear at the end of the spot, in a clearly readable manner for a period of at least four seconds and occupying no less than four percent of the vertical picture height. The written statement should also state the name of the person or entity that sponsored or paid for the spot.

## **Section 12**

# **ORDERING DEADLINES**

Orders, copy instructions, payments and required political order forms must be delivered to the station no later than 4:00pm on the day prior to the order start date. As an illustration:

The Station's weekday ordering deadlines are as follows:

Spots for Monday's log must be ordered by the previous Friday at 4:00 pm  
Spots for Tuesday's log must be ordered by Monday at 4:00 pm  
Spots for Wednesday's log must be ordered by Tuesday at 4:00 pm  
Spots for Thursday's log must be ordered by Wednesday at 4:00 pm  
Spots for Friday's log must be ordered by Thursday at 4:00 pm

The Station's weekend ordering deadlines are as follows:

Spots for Saturday's log must be ordered by Friday at 4:00 pm  
Spots for Sunday's log must be ordered by Friday at 4:00 pm

The spot copy (physical commercial tape) may arrive no later than 11:00am on the same day of air, with revisions effective by 4:00pm same day.

**Log and Copy Revision:**

Advertisers are not permitted to request log revisions (to add or remove elements) from a printed logs unless necessary for Station to comply with applicable law. This applies to ALL clients.



Advertisers are not permitted to request copy revisions (to add or remove a commercial from rotation) from a printed log unless necessary for Station to comply with applicable law. This applies to ALL clients.

### **Section 13**

## **WHO TO CONTACT**

The Station would be pleased to provide, upon request, further information about its rates, advertising policies, advertising packages, and advertising plans, and it encourages prospective political advertisers to inquire.

For more information on the Station's sales policies or to order time on the Station, please contact:

Scott Beaver, Director of Sales  
717-238-2100 ext 230

Stu Brenner, National Sales Manager  
717-238-2100 ext 231

Marian Stanislawczyk, Local Sales Manager  
717-238-2100 ext 233

Megan Shaffer, Local Sales Manager  
717-238-2100 ext 307

Holly Steuart, Vice President & General Manager  
717-238-2100 ext 210

WHP-TV/WLYH-TV/WHP-DT2  
3300 N. Sixth Street  
Harrisburg, PA 17110  
Phone: 717-238-2100  
Fax: 717-236-0198

### **Section 14**

## **NON-DISCRIMINATION POLICY**

The station does not discriminate in advertising contracts on the basis of race or ethnicity. Any provision in any order or agreement for advertising that purports to discriminate on the basis of race or ethnicity, even if handwritten, typed or otherwise made part of a particular contract, is hereby rejected.